National Planning Policy Framework (England)

This summary is of key quotes from “National Planning Policy Framework” published by the Department of Communities and Local Government in March 2012. The aim is to provide the reader with a quick overview of the document.

Introduction

“Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.” (2) and (11) also (100)

“The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU obligations and statutory requirements. (2)

The NPPF should be read in conjunction with
+ Policy on Traveller Sites (4)
+ National Waste Management Plan for England (5)

“The purpose of the planning system is to contribute to the achievement of sustainable development.” (6)

Achieving sustainable development

A Definition of Sustainable Development

“Resolution 24/187 of the United Nations General Assembly defined sustainable development as meeting the needs of the present without compromising the ability of future generations to meet their own needs. The UK Sustainable Development Strategy Securing the Future set out five ‘guiding principles’ of sustainable development: living within the planet’s environmental limits; ensuring a strong, healthy and just society; achieving a sustainable economy; promoting good governance; and using sound science responsibly.”

The presumption in favour of sustainable development

“Proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise. (11)

This National Planning Policy Framework does not change the statutory status of the development plan as the starting point for decision making. (12) The NPPF is guidance for local authorities in drawing up plans, and a material consideration in determining applications (12)

At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. (14)

For plan-making the presumption means that LPAs should positively seek opportunities to meet the development needs of their area (14)

For decision making the presumption means
• approving applications that accord with the plan without delay
• in the absence of a plan or policies, granting permission unless adverse impacts would demonstrably outweigh benefits when assessed against the NPPF

Policies in Local Plans should follow the approach of the presumption in favour of sustainable development (15)

Neighbourhoods should: (16)
• develop plans that support the strategic development needs set out in Local Plans,
• plan positively to support local development,
• identify opportunities to use Neighbourhood Development Orders to enable development that is consistent with the Neighbourhood plan to proceed

12 Core planning principles

Planning should:
1. be genuinely plan-led, with up to date, positive local and neighbourhood plans, that empower local people, and support predictable and efficient planning decisions.
2. be a creative exercise in finding ways to enhance and improve the places in which people live their lives;
3. “proactively drive and support sustainable economic development” to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. …
4. “always seek to secure high quality design and a good standard of amenity” for all existing and future occupants of land and buildings;
5. “take account of the different roles and character of different areas, promoting the vitality of our main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it;
6. “support the transition to a low carbon future” in a changing climate, taking full account of flood risk and coastal change, and encourage the reuse of existing resources, including conversion of existing buildings, and encourage the use of renewable resources (for example, by the development of renewable energy).
7. “contribute to conserving and enhancing the natural environment and reducing pollution. Allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this Framework.
8. “encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
9. “promote mixed use developments, and encourage multiple benefits from the use of land in urban and rural areas, recognising that some open land can perform many functions (such as for wildlife, recreation, flood risk mitigation, carbon storage, or food production);
10. “conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations;
11. “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable; and
12. “take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.
Delivering sustainable development

1. Building a strong, competitive economy

Local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century (20)

Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure, services or housing (21) Local plans should

• set out a clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;
• set criteria, or identify strategic sites, for local & inward investment to match the strategy and meet anticipated needs over the plan period;
• facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.

2. Ensuring the vitality of town centres

Planning policies should be positive, promote competitive town centre environments and set out policies for the management and growth of town centres over the plan period. In drawing up Local Plans, local planning authorities should:

• recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;
• define a network and hierarchy of centres that is resilient to anticipated future economic changes;
• define the extent of town centres and primary shopping areas;
• promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres;
• retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive;

Sequential Test – Local planning authorities should apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. Main town centre uses should be located in town centres, then in edge of centre locations and only if suitable sites are not available should out of centre sites be considered. (24)

Impact Assessments – Where a retail, leisure and office development is proposed outside of town centres, and where there is no up to date Local Plan and is above a threshold floor space (26)

3. Supporting a prosperous rural economy

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. (28)

4. Promoting sustainable transport

“The transport system needs to be balanced in favour of sustainable transport modes, giving people a real choice about how they travel.” (29) Government recognises that different policies and measures will be required in different communities.

• Local Plans should support a pattern of development which, where reasonable, facilitates the use of sustainable modes of transport.
• Local authorities should work with neighbouring authorities and transport providers to develop strategies for the provision of viable infrastructure, including large scale facilities such as rail freight interchanges, roadside facilities for motorists or transport investment.

Transport Statements / Transport Assessment should be used to support developments that generate significant movement (32)

Location of major movement generators - Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised. (34) Subject to other policies in the NPPF, such as in the case of rural areas.

Developments should be located and designed where practical to

• accommodate the efficient delivery of goods and supplies;
• give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
• create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate assisting home zones;
• incorporate facilities for electric and ultra-low emission vehicles; and
• consider the needs of people with disabilities by all transport modes.

Travel plans - All developments which generate significant amounts of movement should be required to provide a Travel Plan. (36)

Balance of land uses and mix of uses – should be the aim in planning policies so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, education and other activities. (37) For larger scale residential developments in particular, planning policies should promote a mix of uses to provide opportunities to undertake day-to-day activities including work on site. In particular within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties (38)

Parking - If setting local parking standards for residential and non-residential development, local planning authorities should take into account:

• the accessibility; and the type, mix and use of development;
• public transport availability and potential, local car ownership levels;
• an overall need to reduce the use of high-emission vehicles. (38)

Town centre parking - Local authorities should seek to improve the quality of parking in town centres so that it is convenient, safe and secure, including appropriate provision for motorcycles.

5. Supporting high quality communications infrastructure

(42 - 46) Covers sites, and restricts the use of Article 4 directions.

6. Delivering a wide choice of high quality homes

Housing supply - To boost significantly the supply of housing, local planning authorities should:

• use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
• identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) (20% where there has been persistent under delivery) to ensure choice and competition in the market for land; (47) Local planning authorities may make an allowance for windfall sites (48)
• identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
• set out their own approach to housing density to reflect local circumstances. (47)

Choice of quality homes - To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

• plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (eg families with children, older people, people with disabilities, service families and self-builders);
• identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
• where affordable housing is needed, set policies for meeting this need on site, unless made provisionally an essential need for a rural worker; or
• ensure that a financial contribution of broadly equivalent value can be robustly justified (50)

Empty housing and buildings – LPAs should identify and bring back into residential use empty housing and buildings in line with local housing and empty homes strategies and, where appropriate, acquire properties under compulsory purchase powers. (51) They should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B use classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate.

Larger scale development: can sometimes be the best option for the supply of new homes: including new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. LPAs should consider whether it is appropriate to establish Green Belt around or adjoining any such new development. (52)

Development of Gardens – LPAs should consider the case for setting out policies to resist inappropriate development of residential gardens.

Rural Areas - housing should be located where it will enhance or maintain the vitality of rural communities. LPAs should avoid new isolated homes in the countryside unless there are special circumstances such as:

• essential need for a rural worker; or
• optimal viable use of a heritage asset; or
• re-use redundant or disused buildings leading to an enhancement to the immediate setting; or
• exceptional quality or innovative nature of the design of the dwelling.
7. Requiring good design
“Planning policies and decisions should aim to ensure that developments
- Local and neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area.
- establish a strong sense of place
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;
- create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
- are visually attractive through good architecture and appropriate landscaping.

Urban Design Codes - Local planning authorities should consider using design codes, but avoid over-prescription.

Style - “Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.”

Quality goes beyond aesthetics - Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

Design review – LPAs should refer major projects, where appropriate, for national design review. Early engagement produces the greatest benefits. In assessing applications LPAs should have regard to the recommendations from the design review panel.

Refusals “Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.”

8. Promoting healthy communities
The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities. Local planning authorities should create a shared vision with communities of the residential environment and facilities they wish to see.

Planning policies and decisions, in turn, should aim to achieve places which promote:
- opportunities for meetings between members of the community (e.g. through neighbourhood centres, active frontages)
- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion
- safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas

Planning policies and decisions should:
- plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services
- ensure that established shops, facilities and services are able to develop and modernise

Schools - LPAs should ensure that a sufficient choice of school places is available to meet the needs of existing and new communities

Recreation, Sports and Open Spaces Planning policies should be based on robust and up-to-date assessments of the needs and opportunities for new provision

Existing facilities should not be built upon unless assessment shows them to be surplus to requirements, or loss is compensated by equal or better provision elsewhere.

Rights of way - should be protected by Planning policies and opportunities for new rights of way should be sought.

Local Green Space – By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances.

9. Protecting Green Belt land
Paragraphs 79-92 define the purpose of Green belts, appropriate and inappropriate development within Green Belts, treatment of Villages within Green Belts, and review of Green Belts.

New Green Belts should only be established in exceptional circumstances, for example when planning for larger scale development.

10. Meeting the challenge of climate change, flooding and coastal change
Local planning authorities should
- adopt strategies to mitigate and adapt to climate change, and on flood risk, coastal change and water supply and demand.
- plan for new development in locations and ways which reduce greenhouse gas emissions.
- be consistent with the Government’s zero carbon buildings policy.
- take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption.
- have a positive strategy to promote energy from renewable and low carbon sources.

Flooding – (100) Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

Local Plans should be supported by Strategic Flood Risk Assessment and include policies to manage flood risk from all sources.

Local Plans should apply a sequential, risk-based approach to the location of development to avoid where possible flood risk. By applying:
- the Sequential Test (101)
- the Exception Test (102)
- using opportunities offered by new development to reduce the causes and impacts of flooding.

Coastal Areas – (105) covers consideration of the UK Marine Policy Statement, and Integrated Coastal Zone Management. Avoiding inappropriate development in vulnerable areas, and Coastal Change Management Areas.

11. Conserving and enhancing the natural environment
The planning system should contribute to and enhance the natural and local environment by
- protecting and enhancing valued landscapes, geological conservation interests and soils
- preventing new and existing development from contributing to or being at unacceptable risk for being adversely affected by soil, air, water or noise pollution or land instability.

Brownfield Land – “Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.

Development of Agricultural Land - Local planning authorities should take into account economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be used in preference to that of a higher quality.

Other subjects covered include:
- Natural areas, planning for and protecting Natural Areas
- Air quality and air quality management areas
- Noise and the National Noise Policy Statement, including protecting tranquil areas
- Light pollution and the protection of intrinsically dark landscapes

12. Conserving and enhancing the historic environment
126-141 – A detailed section covering the need for the Local Plan to have a positive strategy for the conservation and enjoyment of the historic environment. “Substantial harm to or loss of a grade II listed building, park or garden should be exceptional.”

Non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monuments, should be considered subject to the policies for designated heritage asset.

13. Facilitating the sustainable use of minerals
142-149 Covers plan policies for extraction of mineral resource of local and national importance in their area.

Plans should not identify new sites or extensions to existing sites for peat extraction, Minerals Safeguarding Areas, Minerals Consultation Areas, safeguarding quarries and supporting infrastructure, reclamation.

Plan-making

Local Plans
Local Plans must be prepared with the objective of contributing to the achievement of sustainable development.
Significant adverse impacts on any of the three dimensions of sustainable development should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. (152) – or failing that, mitigated, and failing that, compensated. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery. (153)

Strategic priorities for the area should be set out by local planning authorities in the Local Plan.

**Decision-taking**

### Using a proportionate evidence base

Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area (156 - 177). Covers:

- Housing
- Business
- Infrastructure
- Minerals
- Environment
- Historic Environment

- Health and Wellbeing
- Defence, national security, counter-terrorism and resilience
- Public safety from major accidents
- Ensuring viability and deliverability

### Planning strategically across local boundaries

**Duty to cooperate** - Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities set out in paragraph 156. (178)

Joint planning policies on strategic matters should be considered by LPAs along with informal strategies such as joint infrastructure and investment plans. (179)

"Local planning authorities should take account of different geographic areas, including travel-to-work areas. In these areas, county and district authorities should cooperate with each other on relevant issues. Local planning authorities should work collaboratively on strategic planning priorities (180) including private sector bodies, utility and infrastructure providers. Local planning authorities will be expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts (181)

### Examining Local Plans

"The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. (182)

**Sound local plans** - A local planning authority should submit a plan for examination which it considers is "sound". That is:

- Positively prepared – based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- Justified
- Effective – deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- Consistent with national policy

### Neighbourhood plans

Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and deliver the sustainable development they need. Parishes and neighbourhood forums can use neighbourhood planning to:

- set planning policies through neighbourhood plans to determine decisions on planning applications; and
- grant planning permission through Neighbourhood Development Orders and Community Right to Build Orders for specific development which complies with the order. (183)

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan (184)

"Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies (184)

The policies in a NP that demonstrates conformity with the strategic policies of the Local Plan, take precedence over existing non-strategic policies in the Local Plan for that neighbourhood. (185)

### Pre-application engagement and front loading

The NPPF encourages pre-application discussion and community involvement (188-191).

"Wherever possible, parallel processing of other consents should be encouraged to help speed up the process and resolve any issues as early as possible 191

"Local planning authorities should publish a list of their information requirements for applications," which should be proportionate. (193)

"Applicants and local planning authorities should consider the potential of entering into planning performance agreements. (195)

### Determining applications

The planning system is plan led (as stated in 2 and 11)

"In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development. (197)

"Where a Neighbourhood Development Order has been made, a planning application is not required for development that is within the terms of the order. (198)

"Where a planning application conflicts with a neighbourhood plan that has been brought into force, planning permission should not normally be granted. (198)

### Tailoring planning controls to local circumstances

**Local development orders** can be used by LPAs "to relax planning controls for particular areas or categories of development, where the impacts would be acceptable." (199)

**Article 4 Directions** - use "to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area… (200)

**Planning conditions should not be used to restrict national permitted development rights unless there is clear justification (200)

**Neighbourhood Development Orders and Community Right to Build Orders** can be used to grant planning permission (201)

### Planning conditions and obligations

Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition (203) And where all these tests would be met: (204)

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development

Local authorities should be sensitive to market conditions to prevent development being stalled (205)

"Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects (206)

### Enforcement

Enforcement is discretionary, and should be proportionate. LPAs may publish an Enforcement Strategy. (217)

### Annexes

1. Implementation

The framework is a material consideration from the day of publication. For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. (214)

2. Glossary

A list of terms from Affordable housing to Windfall sites.

3. Documents replaced by this Framework

List of Planning Policy Guidelines and Statements, and PPSs, Mineral Planning Policy statements, and Planning Circulars